

February 19, 1976

On the question of funding, as I indicated before, there had been discussion of a filing fee. There was an amendment drafted to do that. There were questions raised by the Bar Association about that filing fee amendment and therefore chose,... in fact questions were raised this morning, chose not to present that amendment today, but to wait till Select File. If that is rejected by the Legislature then I would be glad to bring in an "A" bill for general fund appropriation.

Senator Barnett asked for further clarification on the amendment. The amendment would call for a dollar filing fee in civil cases to create a fund to pay for this act. As I indicated there were language problems with that amendment. I did not bring it in this morning.

SENATOR BARNETT: I'd like to continue, Mr. President. Beings we're using the same mic it's rather inconvenient at this time. I want Senator Fowler to continue to explain the program on page 3, subsection 3 it's to receive and expend state and federal funds. Now the federal fund part of the program, I think we need some explanation on it. Is this a tie-in where the federal government is going to tell us again "You take these funds", or we will remove the funds from some other agencies regarding the elderly. I think that should be spelled out. Or is this a new program saying here's some new funds for you. If you take them you can start a program and then in two years we're going to drop the federal funds. If you would, if you have any knowledge of the federal fund part please explain it.

SENATOR FOWLER: The language is the general language as far as the powers to accept federal funds. It is not my intent to see this become 100 percent federally funded program and then see the federal funds taken away. The intent and the "A" bill can define where the bills would come from, could put a limit on any federal funds if the Legislature decided. My preference in order of funding would be the filing fee, and if that's not acceptable then a state general fund appropriation. I do not.... I will be honest with this Legislature in asking that the funding be provided either through the filing fee or through a state general fund appropriation, not to have it become a federally funded program that we would have to face the funding question later on. I think this Legislature should face both issues before this bill gets to Final Reading.

SENATOR BARNETT: Mr. President, members of the Legislature. I would hope that before you move this bill off of General File that Senator Fowler comes up with the funding proposal. In other words, if he wants to do it by an "A" bill I think that's perfectly legitimate. I think he should say that there will be an "A" bill up there to go along with it. I think that the idea of letting it get a start off of General File before we discuss it further, and before we find out how much it's going to cost, would be an irresponsibility act on the part of the Legislature.